

December 2, 2013

MINUTES OF COUNCIL

A regular session of Troy City Council was held Monday, December 2, 2013, at 7:00 p.m. in Council Chambers.

Members Present: Clark, Kendall, Oda, Phillips, Schweser, Snee and Tremblay.

Presiding Officer: Martha A. Baker, President of Council

Others Present: Michael L. Beamish, Mayor
Patrick E. J. Titterington, Director of Public Service and Safety
John D. Stickel, City Auditor
James D. Livingston, Director of Law

INVOCATION: An invocation was given by Council Member Phillips. The Pledge of Allegiance followed the invocation.

PUBLIC HEARING: At 7:02 p.m., Mrs. Baker declared open a public hearing on Ordinance No. O-26-2013.

Speaking in favor of the rezoning:

-Frank Harlow, 561 Segwick Way, stated he is a builder and developer and the applicant for the owners of the lots. He commented that the proposed zoning creates the largest density with the least impact on the community, the development would be only 80 lots, the build out period is 6-8 years, much of the area is wooded and not farm land, this land is in the Miami East School District and he has been contacted by people who want to build in that school district, there is no area in Troy that has one acre lots, the development will be required to address storm water, homes will be priced \$350,000-\$600,000, and there is a demand for new homes in Troy in that price range.

-Tom Patrick stated he has been looking for house with a larger lot and hope to build a home in this area.

-Neal Nehring stated he has been looking for a lot of the size that would be in this development for over a year and he feels this is an attractive opportunity.

-Jeff Vogelmeyer stated he has been a resident of the Troy area for 23 years and has had homes in the Shenandoah and Saxony Woods developments and would be very interested in building in this area.

Speaking against the rezoning:

-Toni Caruso stated she owns adjacent property to the north and is concerned about the impact on drainage, wild life and farm land, and needs more information before she could support the rezoning.

-Lester Conard, 1210 S. Clay Street, commented that he opposes the rezoning as more population equals more burglaries, traffic and dope.

-Robert Brumbaugh, 160 Crestwood Drive, opposed the rezoning based on the negative impact to taxpayers of the Miami East School District, further degradation of roadways, removal of farm land and further encroaching "into his back yard". He also said he hoped the media would give a fair accounting of persons appearing before Council.

There were no further comments in this regard and at 7:10 p.m., Mrs. Baker declared this public hearing closed.

MINUTES: The Clerk gave a summary of the minutes of the November 18, 2013, meeting of Troy City Council. There were no corrections or additions to these minutes. A motion was made by Mr. Clark, seconded by Mr. Phillips, to approve these minutes. Motion passed by unanimous roll call vote.

COMMITTEE REPORTS:

Buildings, Streets & Sidewalks Committee: Mr. Phillips, Chairman, reported that Committee recommends Ordinance No. O-22-2013, vacation of an alley between W. Ross Street and Southview Avenue, should be adopted.

Report signed by Kendall, Oda and Phillips.

Finance Committee: Mr. Kendall, Chairman, reported that Committee recommends approval of the 2014 Budget by the adoption of the Appropriation Ordinance. Committee noted that the appropriation will not include funding of the Riverfront Redevelopment Project at this time, but that project will be discussed and considered later. Committee reported further recommending legislation be prepared to approve agency funding for 2014

for: Troy Development Council	\$125,000
Troy Main Street, Inc.	\$ 55,000
Public Television Communications Center	\$ 50,000
Troy Recreation Association, Inc.	\$ 29,000

Report signed by Schweser, Tremblay and Kendall.

Personnel Committee: Mr. Clark, Chairman, gave oral reports as follows:

1) Committee supports the Mayor's reappointment of J. C. Wallace to the Economic Development Revolving Loan Fund Committee. A motion was made by Mr. Clark, seconded by Mr. Phillips, that Council approve the reappointment of J. C. Wallace to the Economic Development Revolving Loan Fund Committee for a new term concluding December 31, 2017. Motion passed by unanimous roll call vote.

2) Committee supports the appointment of Ed Westmeyer to the Board of Tax Appeals for a two-year term commencing January 1, 2014, to replace the Board position held by Brock Heath.

A motion was made by Mr. Clark, seconded by Mr. Phillips, that Council approve the appointment of Ed Westmeyer to the Board of Tax Appeals for a two-year term commencing January 1, 2014 and concluding December 31, 2015. Motion passed by unanimous roll call vote.

CITIZEN COMMENTS ON COMMITTEE REPORTS OR AGENDA:

-Lester Conard, 1210 S. Clay Street, regarding the budget, commented he believes the City would never get back the money that is planned to be spent on Treasure Island, and this is Troy wanting to waste money.

-Joe Weaver, 529 W. Market Street, commented that he is speaking on behalf of Troy Public Television Communication Center (PTCC), to address the reduced funding to PTCC. He commented that cutting the funding could doom PTCC, result in little or no documentation of events, remove an economic tool for businesses, be a loss of City programs, remove a way for Troy students to receive mentoring in broadcasting, cost a man (himself) his job, PTCC would no longer have access to a professional video photographer, and the loss of PTCC would be a loss of vital services to the community. He also commented that he believes PTCC is paid for by the franchise fee the City receives and the funding is actually at no cost to the citizens.

-Dave Murray, Treasurer of PTCC, spoke regarding the potential merger of Troy's public access television with the Western Ohio TV Consortium (Piqua's public access). He stated any merger requires a vote of Ohio Board of Regents because of the involvement of Edison Community College, and that is a lengthy process. He also commented that Troy TV5 would maintain a channel on Time Warner, and PTCC would like to go into a merger with a position of strength but the cutting of funding would result in having to shut down and the loss of Troy public access television.

-Mike Blankenship, 406 Michigan Avenue, stated he supports public access television and cutting the funding to \$50,000 is the same as not supporting public access. He commented that he does not understand why the City is not trying to grow this community resource rather than cut it.

RESOLUTION NO. R-50-2013

RESOLUTION AUTHORIZING THE BOARD OF RECREATION OF THE CITY OF TROY, OHIO TO ENTER INTO A CONTRACT WITH THE TROY RECREATION ASSOCIATION, INC. FOR RECREATION SERVICES

This Resolution was given first title reading.

Mr. Schweser moved for suspension of rules requiring three readings. Motion seconded by Mr. Kendall.

Yes: Kendall, Clark, Oda, Schweser, Phillips, Tremblay and Snee.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Schweser.

Yes: Clark, Oda, Schweser, Phillips, Tremblay, Snee and Kendall.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-51-2013

RESOLUTION APPROVING FUNDING TO TROY MAIN STREET, INC.

This Resolution was given first title reading.

Mr. Kendall moved for suspension of rules requiring three readings. Motion seconded by Mr. Tremblay.

Yes: Oda, Schweser, Phillips, Tremblay, Snee, Kendall and Clark.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Schweser.

Yes: Schweser, Phillips, Tremblay, Snee, Kendall, Clark and Oda.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-52-2013
RESOLUTION APPROVING FUNDING TO THE TROY DEVELOPMENT COUNCIL FOR ECONOMIC
DEVELOPMENT FOR THE CITY OF TROY

This Resolution was given first title reading.

Mr. Clark moved for suspension of rules requiring three readings. Motion seconded by Mr. Phillips.

Yes: Phillips, Tremblay, Snee, Kendall, Clark, Oda and Schweser.

No: None.

Mr. Clark moved for adoption. Motion seconded by Mr. Schweser.

Yes: Tremblay, Snee, Kendall, Clark, Oda, Schweser and Phillips.

No: None.

RESOLUTION ADOPTED

RESOLUTION NO. R-53-2013
RESOLUTION ALLOCATING FUNDS FOR PUBLIC TELEVISION COMMUNICATIONS CENTER FOR THE
YEAR 2014

This Resolution was given first title reading.

Mr. Kendall moved for suspension of rules requiring three readings. Motion seconded by Mr. Tremblay.

Yes: Snee, Kendall, Clark, Oda, Schweser, Phillips and Tremblay.

No: None.

Mr. Kendall moved for adoption. Motion seconded by Mr. Schweser.

Yes: Kendall, Clark, Oda, Schweser, Phillips, Tremblay and Snee.

No: None.

RESOLUTION ADOPTED

ORDINANCE NO. O-22-2013
ORDINANCE VACATING AN UNIMPROVED PUBLIC ALLEY BETWEEN WEST ROSS STREET AND
SOUTHVIEW AVENUE EXTENDING BETWEEN AMELIA AVENUE AND SOUTH MARKET STREET IN THE
CITY OF TROY, OHIO

This Ordinance was given first title reading on November 4, 2013.

Given second title reading on November 18, 2013.

Given third title reading.

Mr. Clark moved for adoption. Motion seconded by Mr. Phillips.

Yes: Clark, Oda, Schweser, Phillips, Tremblay, Snee and Kendall.

No: None.

ORDINANCE ADOPTED

ORDINANCE NO. O-26-2013
ORDINANCE CHANGING THE ZONING OF A PORTION OF INLOT 9891 AND ALL OF INLOT 9892 IN THE CITY
OF TROY, OHIO FROM A-R, AGRICULTURAL RESIDENTIAL DISTRICT TO R-1, SINGLE FAMILY
RESIDENTIAL DISTRICT

This Ordinance was given first title reading on November 18, 2013.

Given public hearing and second title reading.

ORDINANCE NO. O-27-2013
ORDINANCE APPROPRIATING FUNDS NECESSARY FOR THE VARIOUS DEPARTMENTS AND OFFICES
OF THE CITY OF TROY, OHIO FOR THE YEAR 2014

This Ordinance was given first title reading.

Mr. Schweser moved for suspension of rules requiring three readings. Motion seconded by Mr. Tremblay.

Yes: Oda, Schweser, Phillips, Tremblay, Snee, Kendall and Clark.

No: None.

Mr. Phillips moved for adoption. Motion seconded by Mr. Schweser.

Yes: Schweser, Phillips, Tremblay, Snee, Kendall, Clark and Oda.

No: None.

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ORDINANCE ADOPTED
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ORDINANCE NO. O-28-2013
ORDINANCE AMENDING ORDINANCE NO. O-37-2012, APPROPRIATING FUNDS NECESSARY FOR THE
VARIOUS DEPARTMENTS AND OFFICES OF THE CITY OF TROY, OHIO FOR THE YEAR 2013

This Ordinance was given first title reading.

Mr. Clark moved for suspension of rules requiring three readings. Motion seconded by Mr. Phillips.

Yes: Phillips, Tremblay, Snee, Kendall, Clark, Oda and Schweser.

No: None.

Mr. Schweser moved for adoption. Motion seconded by Mr. Kendall.

Yes: Schweser, Phillips, Tremblay, Snee, Kendall, Clark and Oda.

No: None.

ORDINANCE ADOPTED

COMMENTS OF MAYOR BEAMISH: The Mayor thanked Council for the appointments that were approved. He also commented that the Illumination Ceremony and the lighting of the Christmas Tree on November 29 were very well attended and he appreciates all those involved in making that community event happen.

COMMENTS OF THE DIRECTOR OF PUBLIC SERVICE AND SAFETY: Mr. Titterington commented:
-Regarding funding to PTCC, he is encouraged by the merger discussions and that the PTCC Board is looking at a leaner way to provide communication. The \$50,000 funding will be paid to PTCC up-front, and if it is determined that budget adjustments to PTCC are appropriate later, such adjustments can be considered.
-The newspaper reported that the Riverfront Redevelopment Project borrowing and associated debt service are part of the budget; however, they are not part of the 2014 budget that was adopted, but will be part of a discussion with Council later, possibly in the second quarter of 2014.

AUDIENCE COMMENTS:

-Cindy Shaffer, 26 ½ N. Short Street, commented: she is opposed to the development (O-26-2013); she has issues with radar and red lighting; she was almost hit by a speeding car and heard a child sustained a broken arm and leg on Halloween night; she wants to know why the downtown was not cleaned up after the tree lighting for Small Business Saturday, she is tired of cigarette butts and smoke outside the Submarine House and Leaf & Vine; a light by the library is out; she will give the City until Thursday to address drugs in town and radar or she will contact the Attorney General; and asked why she does not see members of Council walking around.
-Lester Conard, 1210 S. Clay Street, stated he fought to get TV 5 and the City has been against it and only finds ways to cut their funds.
-Robert Brumbaugh, 160 Crestwood Drive, asked why the City praises the lawn companies that improve the interchange at SR41/I-75 and does nothing to improve the SR 55 interchange.
-Mike Burkholder, 465 Staunton Road, commented that the common problem between the Federal government, State government, and City of Troy is spending, and spending is taxes. He commented that 2014 will be an expensive year for citizens with the vehicle tax (permissive fee) and increased other fees. He also commented he is interested in the Hobart Arena study as the Arena always loses money, but Troy spending does not matter as when the ship of State goes down, Troy will go with it.

There being no further business, the meeting adjourned at 7:53 p.m.

Clerk of Council

President of Council

